

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair David Howard, on February 8, 2017 at 3:00 PM, in Room 317
Capitol

ROLL CALL

Members Present:

Sen. David Howard, Chair (R)
Sen. Cary Smith, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Steve Hinebaugh (R)
Sen. Frederick (Eric) Moore (R)
Sen. Albert Olszewski (R)
Sen. Diane Sands (D)
Sen. Jason D. Small (R)

Members Excused:

Sen. Jen Gross (D)

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Alexis Sandru, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 24, 2/1/2017
SR 13, 2/6/2017

Executive Action: HB 177 - BE CONCURRED IN
SB 133 - TABLED
SR 13 - BE ADOPTED
SR 4 - MOTION RECONSIDERED

Committee Business:

00:00:12 Chair Howard
00:01:18 Sen. Sands
00:01:31 Chair Howard

HEARING ON HB 24

Opening Statement by Sponsor:

00:02:09 Rep. Ron Ehli (R), HD 86, opened the hearing on HB 24, Providing protections to vulnerable persons from financial exploitation.

Proponents' Testimony:

00:05:59 Paul Kink, representing himself
00:09:54 Bill Warden, National Association of Insurance and Financial Advisors
00:12:14 Ron Stoker, representing himself
00:15:30 Dan Sullivan, National Association of Insurance and Financial Advisors (NAIFA)
00:18:28 Claudia Clifford, advocacy director, AARP Montana
00:19:49 Barbara Smith, administrator, Senior and Long Term Care Program, Department of Health and Human Services
00:20:46 Dan Stusek, Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:18 Sen. Caferro
00:25:16 Mr. Stusek, CSI
00:25:49 Sen. Sands
00:26:48 Rep. Ehli
00:26:58 Sen. Sands
00:27:06 Alexis Sandru, Legislative Services Division (LSD)
00:27:37 Sen. Sands
00:29:17 Rep. Ehli
00:29:48 Sen. Sands
00:29:59 Sen. Moore
00:30:34 Ms. Sandru, LSD
00:31:07 Sen. Moore
00:31:17 Chair Howard
00:35:20 Mr. Sullivan, NAIFA
00:36:44 Chair Howard
00:36:56 Sen. Sands
00:37:56 Chair Howard

Closing by Sponsor:

00:38:06 Rep. Ehli

HEARING ON SR 13

Opening Statement by Sponsor:

00:42:09 Sen. David Howard (R), SD 29, opened the hearing on SR 13, Confirm Governor's appointee to health-related boards.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:27 Sen. Sands

00:43:38 Sen. Caferro left the hearing.

Closing by Sponsor:

00:44:11 Sen. Howard

EXECUTIVE ACTION ON HB 177

00:45:29 **Motion:** Sen. C. Smith moved that **HB 177 BE CONCURRED IN.**

Discussion:

00:45:49 Chair Howard

00:45:59 Sen. C. Smith

00:46:22 Sen. Sands

00:46:37 Sen. Olszewski

00:47:20 Sen. C. Smith

00:47:24 Sen. Sands

00:47:47 Sen. Olszewski

00:47:57 **Vote:** Motion carried 8-1 by voice vote with Sen. C. Smith voting no. Sen. Caferro and Sen. Gross voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON SB 133

Motion: Sen. C. Smith moved that **SB 133 DO PASS.**

Discussion:

00:49:00 Sen. Sands
00:51:11 Sen. C. Smith
00:52:30 Sen. Olszewski
00:53:39 Chair Howard

00:55:43 **Vote:** Sen. C. Smith moved that **SB 133 DO PASS**. Motion failed 4-5 by roll call vote with Sen. Caferro, Sen. Gross, Sen. Olszewski and Sen. Sands voting aye. Sen. Caferro and Sen. Gross voted by proxy.

Discussion:

00:56:41 Chair Howard
00:56:48 Sen. Sands
00:56:51 Chair Howard

00:57:18 **Motion/Vote:** Sen. Sands moved that **SB 133 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Sen. Caferro and Sen. Gross voted by proxy.

EXECUTIVE ACTION ON SR 13

00:57:41 Chair Howard

00:57:51 **Motion:** Sen. C. Smith moved that **SR 13 BE ADOPTED**.

Discussion:

00:58:06 Sen. Olszewski

00:58:25 **Vote:** Motion carried unanimously by voice vote. Sen. Caferro and Sen. Gross voted by proxy.

EXECUTIVE ACTION ON SR 4

00:58:40 Chair Howard

00:58:44 **Motion:** Sen. Olszewski moved to **RECONSIDER THE MOTION** on **SR 4**.

Discussion:

00:58:57 Sen. Olszewski
00:59:50 Sen. Moore
00:59:57 Sen. Olszewski
01:00:09 Chair Howard
01:00:17 Sen. Olszewski
01:00:30 Sen. Moore
01:00:37 Alexis Sandru, Legislative Services Division
01:00:42 Chair Howard

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01:00:46 Sen. Sands
01:01:21 Chair Howard

01:01:26 **Vote:** Motion carried 7-0 by voice vote. Sen. Caferro and Sen. Gross were
excused.

01:01:30 **Note:** Committee will discuss further action on motion on Friday, February 17,
2017.

Committee Business:

01:01:40 Chair Howard
01:01:45 Julie Emge, Committee Secretary
01:02:58 Sen. Olszewski
01:03:27 Chair Howard
01:03:43 Sen. Sands
01:03:54 Sen. Moore

ADJOURNMENT

Adjournment: 4:09 PM

Julie Emge, Secretary

Additional Documents:

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Additional Documents:

EXHIBIT([phs28aad.pdf](#))